

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of

Telecommunications Relay Services	}	CC Docket No. 98-67
and Speech-to-Speech Services for	}	
Individuals with Hearing and Speech	}	CG 03-123
Disabilities	}	
	}	

REPLY COMMENTS BY OKLAHOMA ASSOCIATION OF THE DEAF

Oklahoma Association of the Deaf (OAD) hereby submits its reply comments in response to California, Coalition of Agencies Serving the Deaf and Hard of Hearing's petition for Declaratory Ruling on Video Relay Service interoperability and other issues. OAD is in the whole fully agreed and support the petition on behalf of over 200 OAD members in the state of Oklahoma.

OAD is the state organization that its purpose is to promote the interests of the deaf and to advance the social, educational, cultural and economic well being of the deaf. OAD members who have expressed that Video Relay Service have enhanced their independence more than Traditional Relay Services (TRS) because VRS is found to be a very popular, communication-effective and functional equivalency phone service. We applaud all VRS companies who have made a challenging effort to keep the VRS up and running at very difficult low rates.

Based on the OAD members' inputs, OAD wishes Federal Communication Commission (FCC) to consider the following actions to achieve the needs for the equally functional Video Relay Service being used by Deaf and Hard of hearing phone consumers:

1. Prohibit any video relay service providers that receive public money through the National Exchange Carrier Association (NECA) to restrict the VRS

consumer to a single VRS provider with a contract when delivering a free videophone which indirectly is paid with NECA funds or otherwise. This is in violation of the ADA's consumers' freedom of choices when involved the public money to support the services.

- a.) Due to the limited access to available videophones, VRS consumers are willing to sign the contract at any cost to obtain the videophones. This put an unfair pressures on the deaf and hard of hearing consumers to sign the contract restricting them to one VRS provider.
- b.) Because of this, consumers are forced to have two videophones in their homes to get access to all VRS. This is a concern of unnecessary use of NECA's public money to purchase more than one videophone for each home.
- c.) One VRS provider defined that the consumers who signed the contract have agreed and prefer to use their specific VRS with a videophone. Often, we found that the consumers with limited reading skills did not understand the contract and was not aware of the restriction at the time. Also, the consumer was under the pressure to get a videophone at any cost.
- d.) They do not have the option to hang up and dial to another VRS provider who may have better ASA and quicker response with an available interpreter.

2. Required that all videophones, which are indirectly purchased with the public money through the National Exchange Carrier Association Fund, must have access to all VRS providers to allow the consumers to have 'consumer of choices' regardless of contract agreement between VRS provider and consumer. While we realize that providers of VRS are not able to submit costs for the purchase of video phones as part of the reimbursement from the interstate TRS fund, the placement of these free video phones is directly tied to the generation of additional minutes for the VRS providers which are then reimbursed with public funds. There should be no blockage in those videophones to restrict the consumers to one VRS provider when the public

money is involved in the service, regardless of the funds reimbursement of costs for end user equipment because the two are directly tied to each other.

3. **Considering a formal request to all-911 centers and VRS providers to work together in making the 911 service accessible for the deaf consumers who depends on Video Relay Service.**
 - a.) NECA's funding should become available to support the development of VRS access to the 911 centers.
 - b.) OAD have observed increasing number of deaf and hard of hearing consumers who are on a low income category are putting themselves in a high risk when facing a difficult decision to choose either land phone line or Cable/DSL service. More deaf consumers are cutting off their land phone service so they can have Cable/DSL to make Video Relay calls, which is communication-effective for them. Many of them can not afford to keep the land phone line while having Cable and/or DSL service for the VRS calls. This prevents them from making 911 calls using their land phone line so this increase a risk of safety and danger in their home environment not having access to 911 service immediately.
4. **Because of the NECA public fund, FCC should impose a condition of interoperability on all VRS providers to make it easier for the VRS consumers to have access to all VRS at their choices.**
 - a.) All videophones should easily access to all other consumers directly with phone numbers and IP number rather than restricting it to specific videophones only. In this case, hearing people are able to call anyone and use any phone services with their phone equipment. VRS consumers don't have that option because of the restriction.
 - b.) VRS consumers have to share two numbers included phone number and IP address rather than one number depending on the D-link and Sorenson VP100. Hearing consumers only have one number to share so is this equally functionally services?

c.) Having two devices in the home (both VP 100 and D-Link) is often not successful with incoming VRS calls as if a person only has one IP address, one or the other unit must be switched off in order for calls to be routed correctly to the video phone. In these cases, if the wrong unit is turned off, often times the inbound caller cannot receive the call because the incoming caller has the opposite technology and dialing information.

5. **FCC should put in the Answer Speed of Answer requirement immediately to be similar as the TRS ASA requirement regardless of two VRS providers' requests to waive it for the next two years.**

- a) We are asking that ASA be to be established immediately with a reasonable timeline. For example: effective May 2005, average answer time should be less than 5 minutes, then give another 3 months with ASA set at 3 minutes, then another 3 months with ASA set at 1 minutes. We have observed that more than five VRS providers, that have requested FCC to set the ASA requirement, have provided available video interpreter within 2-3 minutes.
- b) OAD WILL NOT ACCEPT the ASA waiver for another 2 years.
Recently, two VRS providers have made a request for the next two years while three other VRS providers have answer time within 2-3 minutes. It should not become an issue now.
- c) Based on our observation on a daily basis, those VRS consumers have waited an average 20-40 minutes for an available video interpreter but they can't hang up and call other VRS because of the restriction contract agreement with this specific VRS provider.
- d) VRS consumer should have the right to have access to any VRS provider to secure a video interpreter within 1 minutes to make emergency calls to families, employer, local government or medical facilities.
- e) Those two VRS providers have expressed concerns about national interpreter shortages. This is the same concern that was expressed

when American with Disabilities was established. It was never an issue now. Again, when FCC required that the communication operators must meet the 60-wpm, there were concerns by TRS providers that there will be shortage of Communication Assistants with the requirement. It again was never an issue.

- f) Open interoperability would allow more interpreters to be available to support better speed of answer.
- 6. **FCC should encourage all state equipment distribution programs to provide the videophones for the eligible consumers so that the consumers do not feel required commitment to the VRS providers' requirements.**
 - a.) For the last six months, Oklahoma Department of Rehabilitation Service has distributed over 100 videophones after the deaf community requests were made so that the VRS consumers are in a neutral position and have access to all several VRS providers. This month, DRS have chosen not to distribute the videophones any longer because all VRS providers can provide it indirectly based on service provided at the NECA's cost. This means the consumers have to make a commitment with the VRS provider when obtaining videophones to use their VRS service directly, giving providers more control over restricting functional equivalent access.
- 7. **To support the videomail services with its NECA funding.**
 - a.) It is extremely necessary to have the videomail access for the hearing callers to reach the VRS consumers. This is the same concept as the TRS voicemail. We do not believe that this is using more relay agent (sign language is faster than typing) than TRS voicemail currently paid through text relay services and would see videomail as a more functional equivalent way to use new technology to accomplish what hearing users have enjoyed for years.
- 8. **Reconsider increasing the reasonable VRS rates for all VRS providers to continue its research for improvement, expand its 24/7 services and its educational outreach program.**

- a.) It is necessary to see that the rates increased so that the VRS providers can provide 24/7 VRS to the individuals with disabilities rather than limited services hours from 6:00 a.m. to 11:00 p.m.
- b.) More consumers want the videophones but each VRS providers have limited number of videophone distribution to each state because of the limited funding.

In Conclusion, for the reasons stated herein, Oklahoma Association of the Deaf and its paid members respectfully requests the above statements for your review when making a decision for the sakes of the deaf and hard of hearing consumers. Your support to ensure that ALL deaf and hard of hearing phone consumers have the same rights, as the hearing phone consumers to receive the same services would be greatly appreciated.

Respectfully submitted by:

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